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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
LLC,

17 Defendants.

CASE NO. 3:17-cv-00939-WHA

**PLAINTIFF WAYMO LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL ITS MOTION FOR JURY
INSTRUCTION BASED ON SPOLIATION**

Pursuant to Civil L.R. 7-11 and 79-5, Plaintiff Waymo LLC (“Waymo”) respectfully requests to file under seal information in its Motion for Jury Instruction Based on Spoliation (“Waymo’s Motion”), filed concurrently herewith. Specifically, Waymo requests an order granting leave to file under seal the portions of the documents as listed below:

Document	Portions to Be Filed Under Seal	Designating Party
Waymo’s Motion	Highlighted in blue	Defendants
Exhibit 1 to Waymo's Motion	Entire document	Defendants
Exhibit 2 to Waymo’s Motion	Entire document	Defendants
Exhibit 3 to Waymo’s Motion	Entire document	Defendants
Exhibit 4 to Waymo’s Motion	Entire document	Defendants
Exhibit 5 to Waymo’s Motion	Entire document	Defendants
Exhibit 6 to Waymo’s Motion	Entire document	Defendants
Exhibit 7 to Waymo’s Motion	Entire document	Defendants
Exhibit 10 to Waymo’s Motion	Entire document	Defendants
Exhibit 12 to Waymo’s Motion	Entire document	Defendants
Exhibit 13 to Waymo’s Motion	Highlighted in blue	Defendants
Exhibit 14 to Waymo’s Motion	Entire document	Defendants and or third-parties
Exhibit 15 to Waymo’s Motion	Entire document	Defendants
Exhibit 16 to Waymo’s Motion	Entire document	Defendants
Exhibit 18 to Waymo’s Motion	Entire document	Defendants
Exhibit 19 to Waymo’s Motion	Entire document	Defendants
Exhibit 22 to Waymo’s Motion	Entire document	Defendants
Exhibit 23 to Waymo’s Motion	Entire document	Defendants and or third-parties
Exhibit 24 to Waymo’s Motion	Entire document	Defendants and or third-parties
Exhibit 25 to Waymo’s Motion	Entire document	Defendants and or third-parties
Exhibit 26 to Waymo’s Motion	Entire document	Defendants
Exhibit 27 to Waymo’s Motion	Entire document	Defendants and or third-parties
Exhibit 28 to Waymo’s Motion	Entire document	Defendants
Exhibit 29 to Waymo’s Motion	Entire document	Defendants

I. LEGAL STANDARD

Civil Local Rule 79-5 requires that a party seeking sealing “establish[] that the document, or portions thereof, are privileged, protectable as a trade secret or otherwise entitled to protection under the law” (*i.e.*, is “sealable”). Civil L.R. 79-5(b). The sealing request must also “be narrowly tailored to seek sealing only of sealable material.” *Id.*

1 **II. DEFENDANTS' AND/OR THIRD-PARTIES' CONFIDENTIAL INFORMATION**

2 Waymo seeks to seal identified portions of these documents because Defendants and or third-
3 parties have designated the information confidential and/or highly confidential. Declaration of
4 Lindsay Cooper ("Cooper Decl.") ¶ 3. Waymo takes no position on the merits of sealing the
5 designated material, and expects Defendants and/or third-parties to file one or more declarations in
6 accordance with the Local Rules.

7 **III. CONCLUSION**

8 In compliance with Civil Local Rule 79-5(d), redacted and unredacted versions of the
9 above listed documents accompany this Administrative Motion. For the foregoing reasons,
10 Waymo respectfully requests that the Court grant Waymo's Administrative Motion.

11 DATED: November 13, 2017

QUINN EMANUEL URQUHART & SULLIVAN,
LLP

13 By /s/ Charles K. Verhoeven

14 Charles K. Verhoeven

15 Attorneys for WAYMO LLC
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